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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/690,865

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Michael J. Wookey

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10/18/2006

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EXAMINER

TIMBLIN, ROBERT M

ART UNIT

PAPER NUMBER

2167

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/690,865

Applicant(s)

WOOKEY, MICHAEL J.

Examiner

Robert M. Timblin

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 24 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This office action is in correspondence with application 10/690,865 and in response to applicant's remarks/amendments filed 7/24/2006. Responses to arguments begin on page 4 of this document.

Claims 1-12 remain pending.

#### ***Response to Amendments***

##### ***Drawings***

The examiner has reviewed and accepted the amendments made to the drawings. The objections have been withdrawn.

##### ***Specification***


The examiner has reviewed and accepted the amendments made to the specification. The objections have been withdrawn.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.



Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by **Chang et al.** (Chang hereinafter) (US 6,578,046).

With respect to claims 1, 6, 11, and 12, **Chang** discloses

A method in a data processing system having a program, the method comprising the steps of:

**'receiving a datatype that includes a query for retrieving data stored in a repository'** as submitting queries for execution (col. 41, lines 56-60, fig. 10, Col. 22, lines 24-50, and col. 18 line 57-column 19 line 67).

**'the query having a first information in a first format for identifying the data, the repository having a second information in a second format, different than the first format, for identifying the data, the first information being included in a metadata of the datatype having the metadata and a reference to the data'** as the query is submitted in canonical form (col. 42 lines 5-8). The query is then translated into several native queries that correspond to each native datastore (col. 42 lines 5-12). Translation information is obtained from schema mapping (col. 42 lines 5-12).

**'mapping the first information to the second information'** as schema mapping (col. 42 lines 5-12 and fig. 10).

**'translating the query to the second format based on the mapping'** as query translation (col. 42 lines 8-12 and fig. 10).

**'and retrieving the data using the translated query'** as query results returned (col. 42 lines 36-44 and fig. 10)

With respect to claims 2 and 7 **Chang** discloses '**mapping the first information to the second information comprises retrieving the mapping from a plurality of mappings**' as Translation information is obtained from schema mapping (col. 42 lines 5-12 and fig. 10).

With respect to claims 3 and 8 these claims are rejected for the same reasoning as set forth above.

With respect to claims 4 and 9 **Chang** discloses '**first information is a property identifier in the datatype**' as a query object (col. 18, lines 25-55).

With respect to claims 5 and 10 **Chang** discloses '**the second information is a source description**' as source datastores (col. 5, lines 29-32 and col. 38 line 56-col. 40 line 27).

### ***Response to Arguments***

Applicant's arguments With respect to claims 1-12 filed 7/24/2006 have been fully considered but they are not persuasive.

Applicant argues on pages 10-11 that the Chan reference fails to teach *receiving a datatype that includes a query that has a first information, which is included in a metadata of the datatype*. The examiner respectfully disagrees.

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Support for this limitation is gained from the second limitation of the specification where it reads "upon receiving the datatype, the subscribers can also access the data, which is maintained separately from the datatype."

In column 18 line 57-column 19 line 67, Chang discloses data types (i.e. text or images) and corresponding queries. The queries are used to access the associated data. See also col.6, lines 18-40.

In column 22 lines 24-50, Chan discloses a DDO that provides a representation to define and access object's data, independent of the objects type.

Applicant argues on page 11 that Chang nowhere mentions metadata. The examiner respectfully disagrees.

In column 3, line 23, Chan explicitly mentions "meta data." Furthermore, this "meta data" as taught is indexing information. Furthermore, as well known in the art, metadata is essentially "data about data." With this, Chang's disclosure is replete with instances describing meta data. For instance metadata is described in column 22, lines 34-36. A DDO having a set of attributes, each having a type, value and properties associated with it reads from this citation. The attributes certainly can be meta data.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Leslie Wong


Primary Examiner

RMT  
10/5/2006

Robert M. Timblin



Patent Examiner AU 2167



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